

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EQUITABLE FINANCIAL LIFE
INSURANCE COMPANY

Plaintiff,

v.

NILFA P. ARIOLA, DIANA AVRAM,
MARIJA MARINKOVIC, CHARIS MAE
MATKOVIC, CANDACE CRAIG, EDSSEL
AGUSTO S. JAVELLANA, and JULIETTE
COLLAZO

Defendants.

Case No. 21-CV-3382 (PAE) (KHP)

ORDER OF JUDGMENT FOR DISTRIBUTION AND DISMISSAL

Upon Joint Motion for Distribution and Dismissal, and the Court having considered the application of Plaintiff Equitable Financial Life Insurance Company (“Equitable”) and the Defendants who have not been voluntarily dismissed from this action, including Defendants Nilfa P. Ariola, Charis Mae Matkovic, Edsel Augusto S. Javellana, and Marija Marinkovic, and for good cause having been shown;

IT IS HEREBY ORDERED THAT:

1. Equitable will directly distribute the death benefit in the amount of \$250,000.00 due upon the death of Maria Fortuna A. Hubo (the “Insured”) pursuant to life insurance policy number 154 219 989 issued by Equitable on the life of the Insured (the “Policy”) in the following manner:

- a. Equitable shall retain \$5,000.00 from the Death Benefit for its fees and costs;
- b. Upon Equitable’s receipt of any IRS W-9 or claim forms deemed necessary by Equitable, it shall issue distribute \$245,000.00 (the “Available Funds”) through

- i. a check payable to the order of “Richard Pu, as counsel for Nilfa P. Ariola, Charis Mae Matkovic, and Edsel Augusto S. Javellana” equal to the sum of \$217,315.00 representing 88.7% of the Available Funds, plus applicable interest; and
- ii. a check payable to the order of “Marija Marinkovic” equal to the sum of \$27,685.00 representing 11.3% of the Available Funds, plus applicable interest.


2. Upon distribution of the Available Funds, Equitable shall be discharged of all liability in connection with the Death Benefit, the Available Funds, and the Policy and all claims, rights, interests and actions that Defendants might otherwise have held against Equitable and its present and former parents, subsidiaries and affiliated corporations, predecessors, successors and assigns and their respective officers, directors, agents, employees, representatives, attorneys, fiduciaries and administrators, with respect to the Death Benefit, the Available Funds, and/or the Policy are hereby released.

3. Defendants are hereby permanently enjoined from bringing any action or proceeding in any forum or making any further actual or implied claims, demands and causes of action, asserted or unasserted, liquidated or unliquidated, or bringing any action or proceeding against Equitable arising out of or in connection with the Death Benefit, the Available Funds, or the Policy;

4. Upon Notice to the Court of distribution of the Available Funds, this action shall be dismissed, with prejudice, without additional fees or costs to any party.

This ORDER shall be deemed a final judgment in accordance with Fed. R. Civ. P. 54(b),
there being no just reason for delay.

IT IS SO ORDERED this 12th day of October, 2021.



Paul A. Engelmayer
United States District Judge